



*The Town of Leesburg*  
**INTEROFFICE MEMORANDUM**

To: Kaj Dentler, Town Manager

From: Karen Dilley, Human Resources Manager

Date: November 17, 2014

Subject: Employee Termination Policy

In regards to the Town of Leesburg's termination policy, the Town is guided in part by federal laws that state that the Commonwealth of Virginia is an "at will" employment state. This means that, *"an employer can terminate an employee at any time for any reason, except an illegal one, or for no reason without incurring legal liability. Likewise, an employee is free to leave a job at any time for any or no reason with no adverse legal consequences."*

The Town also follows its Personal Procedures Manual (PPM) for all employee terminations. Section 13.3 of the PPM outlines some of the causes that may merit disciplinary action, but, as the PPM states, the list is not meant to be all inclusive.

**13.3 Causes for Disciplinary Action**

The following shall be causes for disciplinary action, however this list shall not be considered all inclusive:

- Habitual tardiness or absenteeism
- Absence from designated work area without permission
- Conducting personal business on Town time without authorization
- Failing to follow safety regulations
- Acts of incompetence
- Absence without leave
- Making false claims of illness or misuse of sick leave
- Failure to report accidents or personal injuries

- Dealing with the public in a discourteous or unprofessional manner
- Insubordination
- Failing to maintain high standards of conduct
- Negligence or carelessness resulting in damage to municipal property or equipment
- Misappropriation, destruction, theft or conversion of municipal or private property
- Proceeding to work under the influence of alcohol, narcotics, or controlled substances without a valid prescription from a physician
- Using alcohol, narcotics, or other controlled substances on municipal property at any time without a physician's prescription
- Operating municipal equipment under the influence of alcohol, narcotics or controlled substances outside of the guidelines set forth by a valid prescription from a physician
- Granting of special favors or privileges, in the course of work, not normally available to citizens or use of confidential information obtained during the course of work for personal gain or private benefit of others
- Using or attempting to use political influence in the securing of a promotion, leave of absence, transfer or any change in status as an employee of the Town
- Violating any Town Policies including but not limited to Equal Employment Opportunities, Sexual Harassment, and Internet Policies.
- Being convicted or admitting to participation of a felony or serious misdemeanor crime that could negatively affect their job or job performance.
- Acts of misconduct while on duty
- Falsification of Town records and/or documents
- Employee behavior that results in the inability of the employee to carry out the essential functions of his/her job

- Violating any provision of the Town's Social Media Policy, or representing the Town in a negative light online in any manner

Section 13.4 also states "*Disciplinary actions shall be proportional to the seriousness of the violation and shall generally be progressive in nature.*" In regards to termination of an employee, the Personnel Manual reads: "Dismissal – Requires approval from the Town Manager for regular employees, but not for flexible employees."

If a Town employee is arrested by the Leesburg Police Department, it has always been standard practice for the Chief of Police to contact the Town Manager and brief him on the incident.

Regular full-time and regular part-time employees may have access to the grievance procedure following termination, but flexible employees are not covered by this provision.